

## Sullivan County NH

**Type of Meeting:** Board of Commissioners – Public Meeting Minutes  
**Date/Time:** Tuesday - September 20, 2005; 1:30 p.m.  
**Place:** Unity - Sullivan County Complex  
Nursing Home - 1<sup>st</sup> Floor - Recreation Room

**ATTENDEES:** Commissioner Donald S. Clarke - *Chair*, Ben C. Nelson - *Vice Chair*, Ethel Jarvis - *Clerk*, Ed Gil de Rubio - *County Manager*, Courtney Marshall - *Nursing Home Administrator*, Peter Farrand - *Human Resource Director*, Greg Chanis - *Facilities & Operations Director*, Scott Hagar - *DOC Superintendent*, Sam Fletcher - *Human Resource Assistant*, Sherrie Curtis - *Human Services Coordinator*, and Sharon Johnson-Callum (minute taker).

**OTHER PUBLIC ATTENDEES:** State/County Delegates Larry Converse and Peter Franklin (arrived later), James Lowe - Argus Champion staff reporter.

### AGENDA ITEM NO. 1 MEETING MINUTES

#### AGENDA ITEM NO. 1.A. SEP 6 PUBLIC MEETING MINUTES

**1:32 A motion was made by Commissioner Jarvis to approve the Sep 6, 2005 Public Meeting Minutes. Commissioner Nelson seconded the motion. Discussion: Comm. Nelson asked if the minutes included a question he asked about receipt of food service bids. Johnson-Callum confirmed it was reflected on page 5. A voice vote was taken. The motion carried, unanimously.**

Johnson-Callum noted "Agenda Item 1.b." included two Executive Session meeting minutes, one for a contract issue and the other for a personnel / litigation issue.

#### AGENDA ITEM NO. 1.B. SEP 6, 2005 EXECUTIVE SESSION CONTRACT ISSUE MEETING MINUTES

The County Manager recommended leaving the minutes sealed until the next meeting, as the contract was pending.

**1:34 A motion was made by Commissioner Jarvis to approve the minutes and leave them sealed, until reviewed at the first Oct meeting. Comm. Nelson seconded the motion. Discussion: the word "fare" should be "fair". Minutes will reflect correction. A voice vote was taken. The motion carried, unanimously.**

#### AGENDA ITEM NO. 1.B. (SECOND ONE) SEPT 6, 2005 EXECUTIVE SESSION PERSONNEL & LITIGATION ISSUE

**1:36 A motion was by Commissioner Jarvis to accept the Sep 6<sup>th</sup> Executive Session Personnel [& Litigation] Issue but to keep the minutes sealed as it had not been resolved. Commissioner Nelson seconded the motion. Discussion: the County Manager recommended permanently sealing the minutes and entering them in to the person's personnel file. An amendment to the motion was made to approve the minutes, to keep the minutes sealed and to place them in the personnel file. A voice vote was taken. The motion with amendment carried, unanimously.**

**AGENDA ITEM NO. 2 CDFA GRANT 03-410-FHS FEASIBILITY STUDY**

Conflicts with the Oct 25<sup>th</sup> meeting date and the NIC Conference discussed. The board decided they would reconsider the second meeting date at the October 11<sup>th</sup> meeting. A public hearing date for the feasibility study [assisted care facility] was discussed. It was noted 10 days must fall between the date the ad runs and the hearing date, plus time must be allowed to get the ad into the paper.

**1:39 A motion was made by Commissioner Nelson to wait until the next Oct 11<sup>th</sup> meeting to decide whether to hold the Oct 25<sup>th</sup> meeting. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

**1:40 A motion was made to set the public hearing for the feasibility study for November 1<sup>st</sup>. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 3.A. CORPORATE AUTHORIZATION RESOLUTION FORM**

It was noted Sugar River Savings Bank required a Corporate Authorization Resolution form to authorize County Treasurer, Mark Pitkin, and Peter Lovely, as County Deputy, to sign on the accounts that were transferred from Lake Sunapee Bank to Sugar River Savings Bank. The form required the resolution to be accepted by the Board and signed by the Board Clerk, plus one other Board officer.

**1:42 A motion was made by Commissioner Nelson to authorize the form and for the Board Clerk to sign with another officer, Commissioner Clarke. Commissioner Jarvis seconded the motion. Discussion: none. A voice vote was taken. The motion carried, unanimously.**

*Commissioners Ethel Jarvis, as Clerk, and Donald Clarke signed the form.*

**AGENDA ITEM NO. 3.B. OJJDP GRANT AWARD FOR THE RED ELEPHANT PERIOD OCT 1, 2005 – SEP 30, 2006 \$53,560**

The County Manager noted the OJJDP grant agreement represented the third and final year of renewal for OJJDP funds for The Red Elephant [a Claremont teen center]. It was noted a motion was required for the Commissioners to approve the authority to allow the County Manager to sign and the agreement would require notarization. The grant was for \$53,560.

**1:45 A motion was made by Commissioner Nelson to approve the authority for the County Manager to sign for agreement. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

*Peter Farrand, notary, witnessed Commissioners Clarke and Jarvis, and County Manager signing the agreement, and placed his signature and notary seal on the documents.*

**AGENDA ITEM NO. 4 NURSING HOME REPORT**

Courtney Marshall briefed Commissioners and County Manager on the current census and the new billing spreadsheet disbursed at the beginning of the meeting.

**CENSUS**

136 beds filled, with: 102 Medicaid, 18 Private, 15 Medicare, and 1 Private Insurance. Mr. Marshall noted budgeted numbers were adjusted down to 95% occupancy, as it appeared it was constructed with 100%. Commissioner Jarvis recalled the budget was supposed to be around 121/123. Commissioner Clarke discussed history behind budget and noted 100% should not be used. Commissioner Nelson recalled a budget number used of 144. Mr. Marshall indicated he did not have a copy of that detail information. County Manager confirmed it would be provided to him. General discussion commenced on census. County Manager foresees a long time before Medicaid numbers increasing (copy of Sep 20 Census inserted below).

**Sep 20 2005 Census 1**

	Licensed Beds	Medicaid Filled Beds	Private Filled Beds	HCBC Filled Beds	Medicare Filled Beds	Private Insurance	Total Filled Beds	Vacant Beds
MacConnell	32	22	4	0	5	0	31	1
Stearns I	40	16	3	0	7	1	27	14
Stearns II	42	33	4	0	2	0	39	7
Stearns III	42	31	7	0	1	0	39	3
<b>TOTAL BEDS</b>	<b>156</b>	<b>102</b>	<b>18</b>	<b>0</b>	<b>15</b>	<b>1</b>	<b>136</b>	<b>20</b>

**BUDGETED**

	116	21	1	10	0	148
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**ACTUAL BUDGETED**

Percentage Medicaid:	75.00%	74.36%
Percentage Private:	13.23%	13.46%
Percentage Medicare:	11.03%	6.41%
Percentage Private Insurance:	0.74%	0.00%
Percentage HCBC:	0.00%	0.64%
 Percentage Filled:	 87.18%	 94.87%

MONTHLY BILLING SPREADSHEET

Courtney reviewed the Jul and Aug 2005 Sullivan County Nursing Home Billing spreadsheets (See copy of July & Aug Billing sheets inserted below).

SCNH Jul '05 Billing 1

Payor Source	Amount Billed	Notes
HCBC Respite	\$1,296.00	
Insurance	\$13,361.74	Includes private billing & 2nd insurance to Medicare
Medicaid	\$324,576.53	
Medicare A	\$54,006.29	
Medicare B	\$8,819.31	
Medicaid X Over A	\$3,534.00	Medicaid is secondary insurance for skilled residents
Medicaid X Over B	\$817.52	Medicaid is secondary insurance for Part B services
Private	\$90,902.28	Includes private billing. Also when a resident doesn't have a 2nd insurance, they are billed privately for Medicare A & B services
Medicaid Resources	\$75,340.39	This represents the money due from residents/family
Private Respite	\$0.00	
Total Billed	\$572,654.06	

SCNH Aug '05 Billing 1

Payor Source	Amount Billed	Notes
HCBC Respite	\$2,880.00	
Insurance	\$13,822.78	Includes private billing & 2nd insurance to Medicare
Medicaid	\$329,709.14	
Medicare A	\$100,599.66	
Medicare B	\$9,328.20	
Medicaid X Over A	\$11,970.00	Medicaid is secondary insurance for skilled residents
Medicaid X Over B	\$591.77	Medicaid is secondary insurance for Part B services
Private	\$89,174.67	Includes private billing. Also when a resident doesn't have a 2nd insurance, they are billed privately for Medicare A & B services
Medicaid Resources	\$75,732.00	This represents the money due from residents/family
Private Respite	\$3,315.00	
Total Billed	\$637,123.22	

Commissioners requested this to be compared to budget in order to track. The County Manager

Sep 20, 2005 Public Meeting Minutes approved @ Oct 11, 2005 meeting.

confirmed he would attain this. Mr. Marshall noted the calendar date is Jan 1 - Dec and 12 mos. refers to Aug 31, 2005. He noted these can be produced around mid month, to reflect previous month's close out.

**AGENDA ITEM NO. 4.B. NURSE STAFFING**

Mr. Marshall indicated the Director of Nursing is still hiring with orientation continued weekly. The employee list report was discussed, with insight provided by Sam Fletcher, Human Resource Assistant.

*James Lowe, Argus Champion staff reporter, joined meeting.*

**AGENDA ITEM NO. 4.C. NURSE PRACTITIONER**

Mr. Marshall and the County Manager spoke of a recent meeting that occurred which included the County Manager, Nursing Home Administrator, External Care Coordinator, Director of Nursing a Genesis representative with Dr. Herfort of Associates In Medicine - to discuss the problems occurring with the untimely appearance of physicians when requested. Dr. Herfort suggested using a Nurse Practitioner for four days a week, Mon/Tue/Thu/Fri. The County Manager and Nursing Home Administrator discussed how this could enhance the quality of care, increase the marketability of facility and help with census. The Nurse Practitioner could assess new admissions and do interim visits in place of physicians and possibly take over every other physician visit. The County Manager confirmed once plans were solidified they would report back to Commissioners. Mr. Marshall noted there was no resistance to this idea from nursing staff and that the person they have in mind is a previous employee and was well liked.

**AGENDA ITEM NO. 4.D. REPORTS**

It was noted this was covered earlier in meeting  
Commissioner Nelson reminded Mr. Marshall of a previous request for the aging report and accounts receivable report.

**AGENDA ITEM NO. 5 FACILITIES AND OPERATIONS**

Greg Chanis, Director of Facilities and Operations provided this report.

**AGENDA ITEM NO. 5.A. CAPITAL PROJECTS UPDATE**

Mr. Chanis handed out the most updated spreadsheet split into purchases, projects and associated costs. He noted the last page reflects the status of each project.

**OTHER FACILITIES & OPERATIONS ITEMS**

**BUILDING DEMOLITION PROJECT** - Since the C.H.&A building assessment was done, three bids for asbestos removal were received. Bids range from low \$30,000's to \$50,000, with slight differences in specs (copies of bids shown later in meeting to Commissioners). It was noted the summary of asbestos reports were provided to Commissioners prior to meeting. Mr. Chanis recapped report explaining the vast majority of asbestos was in floor tiles, an old walk in cooler in the basement of the vacated apartment building - the cooler has a double layer of 1,100 sq. ft. of cork insulation that tested positive, some roofing tar - roof of carpenter shop has 2 layers.

\$100,000 budgeted for demo, which includes asbestos removal. Commissioners Jarvis questioned procedure on projects over \$30,000, asking if they had to go before the delegation. Commissioners discussed this aspect briefly. Commissioners requested County Manager to gather RSA's pertaining to bids and create a bid guideline. Mr. Chanis noted once the bid is accepted it would take approximately a month before work would begin. Commissioners requested a prioritized list, with each building separated, pertaining to the asbestos removal plans. County Manager confirmed it would be created and brought back to the Commissioners.

#### C.H.AND A. VISUALIZATION OF PROPERTY

Mr. Chanis is still waiting for a C.H.& A. "visualization of property" design.

**2:30 A motion was made by Commissioner Nelson for the County Manager and Greg Chanis to go forward with the bids. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

#### CAPITAL ITEMS PURCHASED

Mr. Chanis discussed renovations on the Ahern Building. They have received a lot of inmate help with carpentry skills. They have removed floor coverings – rugs / tile, installed wainscoting and baseboard heat. They are splitting the building in to three separate zones for plumbing and did a lot of kitchen work which included: new counter top, floor covering and room enlargement. Ordering new kitchen appliances. Removed old lighting. Will be fixing all unworkable windows and they may replace the front door. All work should be wrapped up by end of October.

#### FACILITIES NEW EMPLOYEE

Mr. Chanis noted a new electrician was hired, Brad Bennett, formerly a plant electrician at Dorr Woolen mill. He is in the process of renewing his journeyman's license and attaining his masters electricians license.

GENERATOR REPLACEMENT FOR NURSING HOME – The generator in the boiler room needs replacing, and currently, they are reviewing the spec's needed and will go out for bid. A new generator will increase the ability to run the nursing home while power is out. Currently, when power is lost, the kitchen and laundry does not run. The engineer is finalizing the first design and will prepare the bid documents. Comm. Nelson noted Newport Town might be interested in the old generator to use as emergency back up for the school. Mr. Chanis noted it was pretty old but he will keep that in mind.

SHOWER ROOM RENOVATIONS FOR NURSING HOME – Mr. Chanis received the initial designs today and had not had a chance to view them yet.

HVAC STEAM TRAP REPAIR JOB – Mr. Chanis noted Wayne (of Economy Heating / Plumbing) would be at the Nursing Home Friday with parts. They anticipate once the repair to steam trap is finished, the oil usage should decrease.

FIRE ALARM FRIDAY – Mr. Chanis noted a fire alarm was sounded Friday by an employee who

saw smoke coming from a room. It was discovered a "sanitizer" unit was manually activated. The units were no longer in use, but gages were still active. Since the incident, all six sanitizer units have been disconnected. He noted the response time to the alarm were great by staff and by Claremont and Unity fire departments - both on premises immediately.

JUDKIN'S PROPERTY APPRAISAL – Mr. Chanis noted he contacted George Lamprey regarding the appraising to be done on the Judkin's property, with an without easement. The appraiser is willing to continue with the project, but unable to do it for three to four month. Mr. Chanis asked if the Commissioners wanted to continue with this. Commissioner Clarke and Nelson noted yes.

FIELD MAINTENANCE – Mr. Chanis noted that Ted Walksi, Fish & Game representative is offering to pay for brush hogging from non-small habitat grant fund. Commissioner Clarke noted Mr. Spaulding did the work in the pas and had used a wide fold down unit, able to clip trees back on the field edges.

DONATION OF MEDICAL EQUIPMENT – Mr. Chanis noted they have a lot of unusable walkers, canes, etc. They found that International Medical Equipment Corporation, of Maine, collects used medical equipment, refurbishes it, and then ships it to third world countries. If Commissioners are agreeable, Facilities would pursue this avenue and the company would bring a large container truck for on-site pick up. Commissioners were okay with this, but requested Mr. Chanis to check locally first.

SAND ON ROOF UPDATE – Mr. Chanis noted the sand on the MacConnell roof, mentioned at a few previous Board meetings, was gone.

#### **AGENDA ITEM NO. 5 COUNTY MANAGERS REPORT**

COUNTY AUDIT | MS 45 | OTHER FINANCIAL REPORTS – The County Manager noted the auditors completed the FY 05 county audit and a bound copy was received today. Bound copies will be sent to Commissioners and Delegates. The MS45 is being sent to the State. There is a \$826,821 surplus. The County Manager expects by mid next week to have Jul, Aug and Sep month reports disbursed.

SMOKING POLICY MORATORIUM – The County Manager noted the smoking moratorium, placed in effect on the Aug 1, 2005 smoking policy for personnel/staff, would expire tonight. Mr. Marshall noted he and Mr. Chanis toured the grounds and came to a consensus that the smoking shelter for employees should be moved away from backside of the building, possibly to the motorcycle pad. It was noted the current smoking hut had heat and lights. Ms. Sam Fletcher expressed concerns with proximity of the current hut to the nursing home facility. It was noted approximately 30 employees at the Nursing Home smoked. Ms. Fletcher noted 14 originally quit smoking when the policy was put in to place and that no one quit their job due to the policy. Ms. Fletcher noted Ascutney and Dartmouth are considering imposing no smoking policies. Mr. Chanis recommended, regardless of what decision is made, to create a policy based on the entire County, not just the Nursing Home. Mr. Hagar noted, during the moratorium, officers who smoke go out back away from the public. He noted he was behind the policy 100% and when the policy was originally placed many of the officers quit. He noted inmates have a no smoking

policy.

*3:04 The Chair recessed the meeting to allow the group to tour a tentative site for a smoking building. The group reconvened at 3:09 p.m. Superintendent Hagar did not return as he had another meeting commitment.*

**3:09 A motion is made by Commissioner Nelson to extend the moratorium on the personnel/staff smoking policy another month and to bring back a plan with cost and wording. Commissioner Clarke seconded the motion. There was no further discussion. A voice vote was taken. Commissioner Clarke and Nelson voted in favor of the motion. Commission Jarvis voted against the motion. The motion carried with the majority.**

DOC POPULATION UPDATE – The County Manager reviewed the DOC data Mr. Hagar left with Johnson-Callum. Census was at 123, 84 in-house, with 1 weekender, 1 on home confinement, 12 in the THU, 7 at NHSP, 1 at Odyssey House, 3 at Phoenix House, 7 transferred to Grafton County, 5 to Cheshire County and one on furlough. The increase in population was due to the recent “summer sizzle” sting.

#### COUNTY COURT ISSUES

The County Manager noted he met with Judge Burling, Clerk of Superior Court, Peter Wolfe and the Sheriff to discuss Superior Court direction. Starting in November a judge will be there every other month apposed to every month. During that meeting they discussed video arraignments. It's anticipated the DOC population will continue to increase. The County Manager reminded them money was placed in the capital budget to perform an assessment on the DOC facility. Criminal Justice Committee has not met, but once Commissioner Nelson, the County Manager, the DOC Superintendent and Mr. Chanis return from the National Institute of Corrections (NIC) conference, they will regroup the committee to formulate plans and use assessment tools gathered at NIC. The County Manager feels the state does not have concrete plan on where the court systems are going. The County Manager is sending Newport building floor blue prints to the state and they [state] will sit down to map out their direction. The County Manager and Board discussed population the old facility was designed for. The County Manager noted, in order to access the county facility needs, they must address the whole criminal justice system so will be working all issues, hopefully come up visual plans. Commissioner Clarke concurred this would be a subject to look hard at this winter.

#### AGENDA ITEM NO. 7 COUNTY COMMISSIONERS REPORT

Commissioner Clarke provided an update on the Commission Council meeting he attended, with highlights on developing plans on improving communications between state and county. He discussed HB638, SB409 and the seven alternatives discussed. They whittled it down to four, which will be presented to Fred King to work with. The Commissioner Council's next meeting is planned for Sep 27<sup>th</sup> at 9 a.m. Commissioner Clarke noted Rep. King's committee includes Rep. Franklin, and that they met last Tuesday and again this afternoon. Rep. Franklin noted both Wallace and Jim Monahan spoke. Commissioner Clarke noted the goal, in his view, would be to limit the partnership between programs. Commissioner discussed briefly the spreadsheet forwarded from Ms. Sherrie Curtis pertaining to the % change to the total county obligation



under the many different options. Commissioner Clarke noted he'd like to see a management plan created. Clark discussed the expense of administering the states programs through the county.

#### **AGENDA ITEM 8 PUBLIC PARTICIPATION**

Rep. Peter Franklin – Noted he requested a couple pieces of information, which include the “County Administrator’s Report”, plus a copy of the Nursing Home July and August bed day census, but had not received that information. Commissioner Clarke reminded Mr. Franklin of their previous request to have items requested in writing. Mr. Franklin noted he stopped by the Commissioners Office and was refused information. He demanded a copy of the 1<sup>st</sup>, 2<sup>nd</sup> 3<sup>rd</sup>, and 4<sup>th</sup> Quarter Nursing Home reports. Johnson-Callum noted the request to have items placed in writing was to avoid confusion on what he requested and to confirm items were sent. She noted the annual report reflected a FY05 census by year and she would forward a copy to him. The County Manager interrupted to note to Mr. Franklin they had discussed this with the County Attorney and were in the right to ask Mr. Franklin to request items in writing and had a certain amount of time per RSA’s to supply the information.

Rep. Converse – Asked at what point on the genesis contract would they have a one-year contract and that the second page noted there was a certain time. The County Manager confirmed he would look into that and get back to Mr. Converse.

Rep. Converse – Asked when the Nursing Home would be purchasing beds? Mr. Chanis noted fifty new beds were purchased and are waiting the order to be filled.

#### **AGENDA ITEM NO. 9 PROBABLY EXECUTIVE SESSION**

The Chair noted there was an issue pertaining to a litigation matter, to be followed by another executive session pertaining to a contract issue, which the Human Services Coordinator was invited to attend.

**3:44 A motion was made by Commissioner Nelson to go into executive session RSA 91-A:3.II.(e) for a litigation issue. Commissioner Jarvis seconded the motion. There was no discussion. A roll call vote was taken. All were in favor of the vote.**

*The group reconvened in the Business Conference Room.*

**3:57 A motion was made, by Commissioner Nelson, to come out executive session. Commissioner Jarvis seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.**

No formal decision was required.

**3:58 A motion made, by Commissioner Nelson, to go into executive session per RSA 91-A:3.II.(c) to discuss a contract issue. Commissioner Jarvis seconded the motion. Discussion: Ms. Curtis and Johnson-Callum were invited to attend. A roll call vote was taken. The motion carried with all in favor.**

**4:16 A motion was made by Commissioner Nelson to come out of executive session. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried with all in favor.**

No formal decision was required.

**4:17 A motion was made by Commissioner Nelson to adjourn the meeting. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Ethel Jarvis".

*Ethel Jarvis, Clerk  
Board of Commissioners*

*EJ/s.j-c.*